



United States Department of the Interior
BUREAU OF LAND MANAGEMENT

Salt Lake Field Office
2370 South 2300 West
Salt Lake City, UT 84119



In Reply Refer To:
3809
U-69204
U-69216
(U-023)

MAY 27 2005

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m/049/002 *

Certified Mail 7003 1010 0005 1875 9131
Return Receipt Requested

Mr. John Hewitt
Interstate Brick
9780 South 5200 West
West Jordan, UT 84088-5625

Dear Mr. Hewitt:

RECEIVED

MAY 31 2005

DIV. OF OIL, GAS & MINING

In an effort to close out long idle and inactive case files, our office has been conducting inspections of mining and claims throughout the Salt Lake Field Office. On January 20, 2003, your Notice to conduct mining activities at the Jim Gay and Smokey Joe Mines expired. The Jim Gay Mine is located in T. 7 S., R. 1 W., Section 12, and is serialized under Bureau of Land Management (BLM) case file number U-69204. The Smokey Joe Mine is located in T. 7 S., R. 1 W., Section 9 and is serialized under BLM case file number U-69216. As you are aware, Interstate Brick (IB) has agreed to purchase clay from both of these locations under the BLM's Mineral Material Disposal regulations at 43 CFR 3600. To date, we have not received any mine plan from IB to continue extracting clay from either of these two locations. It appears that IB has abandoned all efforts to continue mining at these sites.

Because both Notices have expired without any attempt by IB to acquire a new authorization to continue mining under BLM regulations at 43 CFR 3600, we are hereby requesting immediate reclamation of the Jim Gay and Smokey Joe Mines. In the submitted Notice for each location, IB signed a statement that the disturbed areas associated with IB's mining activities would be reclaimed at the conclusion of operations.

Reclamation would include, but not be limited to the following:

1. Final benching of any quarry highwalls, in order to prevent potential harm to the public;
2. Knocking down and spreading out any existing quarry stockpiles or waste piles against the foot of each highwall to a minimum 3H:1V slope;
3. Where open pits or exploratory trenches have been excavated at each mine site, you must backfill and re-contour these areas to a minimum 3H:1V slope so that they replicate the natural topography of the area;
4. Spread any stockpiled topsoil over the reclaimed floor of each pit. If no topsoil was saved during the course of mining and quarrying activities, you must import topsoil into each site as part of final reclamation;

5. Rip and scarify the entire length of all access roads on BLM land that have been used during mining and quarrying activities. Any material that has been side cast along the length of the access roads must be pulled back into the reclaimed road bed as part of final reclamation;
6. Spread any stockpiled topsoil along the length of the reclaimed access roads. If no topsoil was saved during the course of mining and quarrying activities, you must import topsoil to be used for road reclamation as part of final reclamation;
7. Revegetate all of the reclaimed areas with a mixture of live native seed. A list of appropriate seed to be used will be supplied by this office at the appropriate time. For best results, the seed should be broadcast, then raked into the topsoil so that there is good seed-to-soil contact. The best time to apply the seed mixture for successful germination is between October 15 and November 30, this year.
8. Because the disturbed area at each site may be covered with halogeton or similar noxious weeds, you will be required to spray each site (at your expense) and monitor and possibly re-spray the site until the BLM considers the eradication efforts successful.

Please contact this office within 15 days of receipt of this letter to set up a schedule for reclamation of the surface disturbance associated with your two expired Notices, or we will consider you to be in noncompliance with BLM's Surface Management regulations at 43 CFR 3809.

We look forward to resolving this issue as soon as possible. If you have any questions, or require additional information, please feel free to contact Michael Ford of my staff at (801) 977-4360.

Sincerely,



Acting David H. Murphy
Assistant Field Manager,
Non-Renewable Resources

cc: Daron Haddock
Utah Division of Oil, Gas and Mining